

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RANDALL BLUE,

Plaintiff,

-vs-

Case No. 13-CV-1439

**WARDEN MICHAEL BAENEN, CATHY FRANCOIS,
YANA PUSICH, and DR. MARY SAUVEY,**

Defendants.

DECISION AND ORDER

The plaintiff has filed a motion to appoint counsel. (Dkt. No. 77.) He states that his legal issues are complex and that he does not have access to all of the defendants' summary judgment materials because some are redacted. Previously, the Court has denied the plaintiff's motions to appoint counsel. In the latest order denying his request for counsel, the Court determined that, given the nature of the plaintiff's claims and his demonstrated capabilities, he could conduct discovery and respond to the defendants' summary judgment motion. (Dkt. No. 76.) The plaintiff recently filed a comprehensive response to the defendants' motion for summary judgment. Based on these factors, the Court will deny without prejudice the plaintiff's motion to appoint counsel. He may refile the motion if his case survives summary judgment.

On December 28, 2015, the plaintiff filed a motion to add discovery along with certain exhibit attachments. (Dkt. No. 79.) By this motion, the plaintiff requests to add the attachments to his “discovery.” These documents are now in the record and the court will consider them as properly referenced in his summary judgment response materials.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT the plaintiff’s motion to appoint counsel (ECF No. 77) is **DENIED WITHOUT PREJUDICE.**

IT IS FURTHER ORDERED that the plaintiff’s motion to add discovery (ECF No. 79) is **GRANTED.**

Dated at Milwaukee, Wisconsin, this 29th day of January, 2016.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge